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प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या वी जाती है जिससे कि यह भासा संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed
as a separate compilation.

RAJYA SABHA

The following Bill was introduced in the Rajya Sabha on the 12th August, 1971:—

Bill No. XXIV of 1971

A Bill to provide for the repeal of the Uttar Pradesh Cantonments (Control of Rent and Eviction) Act, 1952.

Be it enacted by Parliament in the Twenty-second Year of the Republic of India as follows:—

1. This Act may be called the Uttar Pradesh Cantonments (Control of Short Rent and Eviction) (Repeal) Act, 1971.

United Provinces Act III of 1947. 2. On and from the date on which the United Provinces (Temporary) Control of Rent and Eviction Act, 1947 is extended by notification under section 3 of the Cantonments (Extension of Rent Control Laws) Act, 1957, to the cantonments in the State of Uttar Pradesh, the Uttar Pradesh Cantonments (Control of Rent and Eviction) Act, 1952 shall stand repealed.

Repeal of Act 10 of 1952

Savings.

3. (1) The repeal of the Uttar Pradesh Cantonments (Control of Rent and Eviction) Act, 1952 by section 2 shall not affect—
10 of
1952.

(a) the previous operation of the said Act or anything duly done or suffered thereunder; or

(b) any right, privilege, obligation or liability acquired, accrued or incurred under the said Act; or

(c) any penalty, forfeiture or punishment incurred in respect of any offence committed against the said Act; or

(d) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid,

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if the said Act had not been repealed.

(2) Subject to the provisions contained in sub-section (1), anything done or any action taken under the Act repealed by section 2 shall be deemed to have been done or taken under the corresponding provisions of the United Provinces (Temporary) Control of Rent and Eviction Act, 1947 extended by notification as provided in that section to the cantonments in the State of Uttar Pradesh and shall continue to be in force accordingly unless and until superseded by anything done or any action taken under the Act so extended.
United
Pro-
vinces
Act III
of 1947.

STATEMENT OF OBJECTS AND REASONS

The Cantonments (Extension of Rent Control Laws) Act, 1957 was enacted with a view to empowering the Central Government to extend, by notification in the Official Gazette, to any cantonment with such restrictions and modifications as it thinks fit, any enactment relating to the control of rent and regulation of house accommodation which is in force on the date of the notification in the State in which the cantonment is situated. By virtue of this power, the Central Government have extended various State Acts on the subject to cantonments situated in the respective States.

2. However, control of rent of house accommodation in cantonments in the State of Uttar Pradesh is now being governed by the Uttar Pradesh Cantonments (Control of Rent and Eviction) Act, 1952 (Central Act 10 of 1952). In respect of other areas in the State of Uttar Pradesh, the United Provinces (Temporary) Control of Rent and Eviction Act, 1947, as amended from time to time, is in force. Though initially the provisions of the 1947 Act and the 1952 Act, referred to above, were, more or less, the same, the State Legislature of Uttar Pradesh has made certain amendments to the 1947 Act. No corresponding amendments have been made in the 1952 Act. Consequently, there are two different sets of laws regulating the control of rent of house accommodation in the State of Uttar Pradesh, namely, the 1952 Act in the cantonments in that State and the 1947 Act in the other areas thereof. Representations have been received by Government for amending the Uttar Pradesh Cantonments (Control of Rent and Eviction) Act, 1952, so as to bring the provisions thereof on par with the relevant provisions of the United Provinces (Temporary) Control of Rent and Eviction Act, 1947. In order to obviate the necessity of amending the 1952 Act, as and when the 1947 Act is amended by the State Legislature of Uttar Pradesh, it is considered feasible to extend the 1947 Act to the cantonments in Uttar Pradesh under section 3 of the Cantonments (Extension of Rent Control Laws) Act, 1957 and to repeal the Uttar Pradesh Cantonments (Control of Rent and Eviction) Act, 1952 simultaneously. This will secure uniformity of rent control legislation throughout the State of Uttar Pradesh. Besides, parity in the matter of rent control laws between cantonments and other areas throughout the State, there will be uniformity of practice followed with respect to the cantonments situated in other States.

3. It is, therefore, proposed to repeal the Uttar Pradesh Cantonments (Control of Rent and Eviction) Act, 1952 on and from the date on which the United Provinces (Temporary) Control of Rent and Eviction Act, 1947 is extended to the cantonments in the State of Uttar Pradesh under section 3 of the Cantonments (Extension of Rent Control Laws) Act, 1957.

4. The Bill seeks to achieve the above objective.

JAGJIVAN RAM.

NEW DELHI;

The 7th July, 1971.

B. N. BANERJEE,
Secretary.

